

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO. 2:10-cv-1087

\$88,029.08, MORE OR LESS,
IN UNITED STATES CURRENCY,

Defendant.

(Katherine Anne Hoover, M.D. and
John F. Tomasic;
No pending federal criminal charges)

NOTICE OF FILING OF MOTION FOR SUMMARY JUDGMENT AND
CLAIMANT'S OBLIGATION TO RESPOND

YOU ARE HEREBY NOTIFIED that the plaintiff, United States of America, has filed a motion for summary judgment as to the interest of John F. Tomasic. In this Motion, the United States asks the Court to enter summary judgment in its favor and against Mr. Tomasic's claim. Copies of the motion and supporting Memorandum of Law are enclosed.

YOU ARE FURTHER NOTIFIED that you have FOURTEEN (14) DAYS from the filing of the Motion to respond to the Motion and to present to the Court your reasons, if any, why the Motion should not be granted.

YOUR FAILURE TO RESPOND WITHIN FOURTEEN (14) DAYS MAY BE DEEMED TO BE A REPRESENTATION TO THE COURT THAT YOU DO NOT OPPOSE THE MOTION,

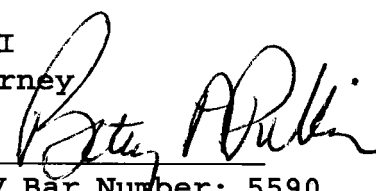
AND THAT YOU DO NOT OBJECT TO THE COURT GRANTING THE MOTION AND
ENTERING JUDGMENT AGAINST YOU.

Any response you wish to make should include copies of any documents upon which you rely and the sworn affidavits of witnesses whose testimony supports your defense. Copies of your response, documents and affidavits must be electronically filed with the Clerk of the Court at the website as indicated below, and served on opposing counsel by virtue of such electronic filing, or must be mailed to:

1. Clerk, United States District Court
United States Courthouse
P. O. Box 2546
Charleston, West Virginia 25329
<http://www.wvsc.uscourts.gov/cmecf/default.html>
2. Betty A. Pullin
Assistant United States Attorney
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Charleston, West Virginia 25326
Email: betty.pullin@usdoj.gov

UNITED STATES OF AMERICA
By counsel

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United States Attorney

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